

Elizabeth Osoria

From: DENNIS RICHARD
Sent: Friday, September 6, 2019 4:03 PM
To: Brown, Nancy A; Lee, Randall R.; DENNIS RICHARD
Cc: Johnstone, Chris (Chris.Johnstone@wilmerhale.com); MELISSA MACKIEWICZ; Kaufman, Jack; Bromberg, Katherine; Daniels, Jon; DENNIS RICHARD
Subject: RE: SEC v. Honig

Ms. Brown:

We share the issues raised by Mr. Ladd's counsel. Not knowing what witnesses you want to depose makes it impractical to carve out unavailability given who may be selected to cover the depositions. Without and subject to gaining that knowledge, this is our general unavailability in reverse chronological order as our calendar tends to jam up during proximate months.

DECEMBER: currently unavailable the week of December 2nd.

NOVEMBER: not available due to trial which is unlikely to settle, although it will be mediated at the end of October.

SEPTEMBER/OCTOBER: currently fully booked, including trial and two week vacation.

In addition, we are continuing to struggle with the SEC's unwillingness to designate its production to anything other than the broadest language of the production request. After we file our reply brief on the motion to dismiss on Tuesday, we will make another effort to resolve this with you. Without that information, we are hamstrung on the ability to prepare our client's defense.

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From: Brown, Nancy A <BrownN@SEC.GOV>
Sent: Tuesday, September 3, 2019 6:23 PM
To: Lee, Randall R. <randall.lee@cooley.com>; DENNIS RICHARD <dennis@richardandrichard.com>
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Counsel:

Please send us dates on which you are unavailable for depositions by September 6. We will attempt to schedule our depositions around those dates and provide you with the deposition dates we've been able to confirm with witnesses by September 13.

For your scheduling purposes, we provide our dates of unavailability:

September 13-23, 24, 30

October: 1, 3, 7, 8, 9, 14, 15, 16, 21, 22, 29, 30,

November: 11, 13, 14, 15, 28

December 5, 12, 24, 25, 31